

HUMAN SERVICES BOARD

INTRODUCTION

FINDINGS OF FACT

3. The petitioner applied for VHAP benefits through the Department of Social Welfare. The Department counted the entire amount of the petitioner's Veteran's benefit (\$404) and

all of his earned income except for a \$90.00 work disregard in calculating his benefit. The total of both (\$404 and \$813) equaled \$1,217 per month, which amount was determined to be in excess of the maximum of \$1,030 for a single person. The petitioner was notified that his application was denied.

4. The petitioner appealed that denial because he believes the Department should not have counted the portion of his income which he must give to the Veteran's home for monthly room and board, \$700, and any amounts he owes for pharmacy expenses. The money for these items is deducted directly from his benefit and paychecks and he never sees it.

ORDER

The decision of the Department is affirmed.

REASONS

All income earned by an individual prior to any deductions for income tax and all unearned income, including veteran's pensions, is countable under the Department's regulations when calculating eligibility for VHAP benefits. W.A.M. § 4001.81. Earned income is subjected to a \$90.00 monthly deduction. W.A.M. § 4001.81(e). The only other deduction from income allowed is the expense of dependent care

for children needed to maintain employment. W.A.M. § 4001.81(f). There are no further deductions allowed in the regulations for any other kinds of expenses.¹

The Department followed its regulations in calculating the petitioner's countable income. The \$90.00 deduction from earned income was applied and the remainder was added to the petitioner's veteran's benefit. The result was a countable income of \$1,217 per month that cannot be subjected to any further deduction. Under the regulations, that figure must be compared with an income test for the petitioner's household size of one. W.A.M. § 4001.84. The income maximum for a one person household in the VHAP program is currently \$1030 per month. P-2420 B(6). The petitioner's income is \$87 in excess of that amount. Therefore, the Department is correct that he cannot be found eligible for the program.

At the hearing, the Department suggested to the petitioner that he could apply for the GA program if he is unable to pay for his pharmacy bills. He is encouraged to take that action if the need should develop.

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¹ The regulations do have a listing of types of income that are never counted but the listing does not include income from employment or veteran's pensions. See W.A.M. 4001.82.